

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

PHILLIP DORF

Plaintiff

v.

PROPOSED DISCOVERY PLAN

Civil Action No. 6:13-cv-06374

DIVERSIFIED CONSULTANTS, INC

Defendant

Pursuant to the order of the Hon. Charles J. Siragusa referring the above case to the undersigned for pretrial procedures and the entry of a scheduling order as provided in Fed.R.Civ.P. Rule 16(b) and Local Rule 16.1(a), and a conference having been held on December 4, 2013, with counsel relative to the matter, it is ORDERED that:

1. Motions to opt out of ADR shall be filed no later than December 11, 2013.
2. Compliance with the mandatory disclosure requirements found in Rule 26 (a)(1) of the Federal Rules of Civil Procedure will be accomplished by January 15, 2014.
3. All motions to join other parties and to amend the pleadings shall be filed on or before January 15, 2014.
4. The parties shall confer and select a Mediator, confirm the Mediator's availability, ensure that the Mediator does not have a conflict with any of the parties in the case, identify a date and time for the initial mediation session, and file a stipulation confirming their selection on the form provided by the Court no later than January 22, 2014.
5. The initial mediation session shall be held no later than February 21, 2014.

6. All discovery in this case shall conclude on September 4, 2014. All motions to compel discovery shall be filed on or before October 17, 2014.
7. Plaintiff(s) shall identify any expert witnesses through interrogatories and provide reports pursuant to FED.R.CIV.P. 26 by June 4, 2014. Defendant(s) shall provide reports pursuant to FED.R.CIV.P. 26 by July 7, 2014. Motions to compel expert discovery shall be filed not later than August 7, 2014.
8. Dispositive motions, if any, shall be filed no later than October 17, 2014. Such motions shall be made returnable before Judge Siragusa.
9. In the event that no dispositive motions are filed, pretrial statements in strict compliance with Local Rule 16.1(d) shall be filed and served no later than _____.
10. A pretrial conference will be held with the undersigned at 2330 United States Courthouse, 100 State Street, Rochester, New York on _____ to discuss the possibility of settlement. The court directs that representatives of the parties with **FULL** settlement authority be present at that time. **In preparation for the settlement conference, counsel shall comply with Local Rule 16.1(c). PRIOR TO THE CONFERENCE, THE PARTIES ARE EXPECTED TO EXCHANGE A DEMAND AND AN OFFER IN A GOOD FAITH EFFORT TO SETTLE THE CASE WITHOUT COURT INVOLVEMENT.**
11. If the case is not settled and if no dispositive motions are then pending the parties will be directed to meet with Judge Siracusa for the purposes of scheduling the case to trial. The estimated length of trial is 1 to 2 days.
12. No extension of the above cutoff dates will be granted except upon written application, filed prior to the cutoff date, showing good cause for the extension. Application must be

made to the Magistrate Judge. Moreover, if counsel are of the belief that an intermediate conference with Judge Siracusa or the Magistrate Judge would be of assistance in the prompt disposition of the case, such a conference will be scheduled upon application of any party.

13. The parties have/have not unanimously consented to Magistrate Judge jurisdiction.

The attached guidelines shall govern all depositions. Counsel's attention is directed to Fed.R.Civ.P Rule 16(f) calling for sanctions in the event of failure to comply with any direction of this court.

SO ORDERED.

Jonathan A. Feldman
United States Magistrate Judge

DATED: _____
Rochester, New York